



#7

11/15/02

PATENT
ATTORNEY DOCKET NO. 045070-5032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yumiko OUCHI

Application No. 09/748,196

Filed: December 27, 2000

For: STEREOMICROSCOPE AND
TRANSMISSION ILLUMINATION
APPARATUS

Group Art Unit: 2872

Examiner: Lee A. Fineman

Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. The Commissioner is hereby authorized to charge **\$180.00** as specified by § 1.17(p) to **Deposit Account No. 50-0310**, for this Information Disclosure Statement under the provisions of 37 C.F.R. § 1.97(c).

Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notation on the attached PTO Form 1449. Copy of the listed document is attached. The document listed on the accompanying PTO-1449 is in a language other than English and is as follows:

PCT International Patent Application PCT/JP98/03853 (Publication No. WO99/12068):
the relevance of this PCT Patent Application can be established by reference to the attached English-language Abstract. Applicant notes that U.S. Patent No. 6,396,628 B1 to Osa et al. (hereinafter "Osa"), which was cited as a reference by the Office Action dated July 8, 2002 (Paper No. 5), claims priority to this PCT document, as recited on the cover page of Osa.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "Prior Art." If it should be determined that the listed document does not constitute "Prior Art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of this document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 8, 2002

By:

A handwritten signature in black ink, appearing to read "Paul A. Fournier", written over a horizontal line.

Paul A. Fournier

Registration No. 41,023

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

Tel.: (202) 739-3000

Fax: (202) 739-3001